

**ORDINANCE NO. 20060928-082**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2510 SOUTH FIRST STREET FROM FAMILY RESIDENCE (SF-3) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE, GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT FOR TRACT TWO, COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT THREE AND LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT FOUR.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-06-0032, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From family residence (SF-3) district to general commercial services (CS-CO) combining district.

A 0.03 acre tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance;

Tract Two: From family residence (SF-3) district to general office (GO-CO) combining district.

A 0.16 acre tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance;

Tract Three: From family residence (SF-3) district to community commercial (GR-CO) combining district.

A 0.458 acre tract of land, more or less, out of the Isaac Decker League, Survey No. 20, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance; and

Tract Four: From family residence (SF-3) district to limited office (LO-CO) combining district.

A 3.336 acre tract of land, more or less, out of the Isaac Decker League, Survey No. 20, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "D" incorporated into this ordinance

(Tracts One, Two, Three and Four collectively known as the "Property"),

locally known as 2510 South First Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "E".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Vehicular access from the Property to Herndon Lane is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
2. A site plan or building permit for Tract One and Tract Two may not be approved, released, or issued, if the completed development or uses of the tracts, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 1,500 trips per day.
3. A site plan or building permit for Tract Three and Tract Four may not be approved, released, or issued, if the completed development or uses of the tracts, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 500 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on October 9, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_  
September 28, 2006

§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk

TRACT 1

Waterloo Surveyors Inc.

Office: 512-481-9602  
Fax: 512-330-1621

Thomas P. Dixon  
R.P.L.S. 4324  
J9740C1

EXHIBIT "A"

February 20, 2006

**FIELD NOTES**

**FIELD NOTES FOR 0.03 ACRE OUT OF 0.19 ACRE OF LAND, MORE OR LESS, OUT OF THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN 0.19 ACRE OF LAND CONVEYED TO DANIEL CAMARENA RECORDED IN DOCUMENT NO. 2001103533, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:**

**BEGINNING** at a bolt found on the west R.O.W. of South 1st Street at the N.E. corner of that certain 0.19 acre tract of land for the N.E. corner hereof;


**THENCE** S29°10'00"W along the west R.O.W. of South 1st Street for a distance of 12.10 feet to a point for the S.E. corner hereof, from which point a bolt found on the west R.O.W. of South 1st Street at the S.E. corner of said 0.19 acre tract of land bears S29°10'00"W at a distance of 82.85 feet;

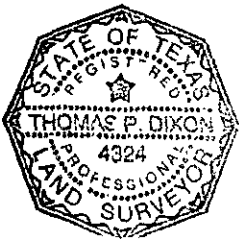
**THENCE** N68°22'19"W, crossing said 0.19 acre tract along a line twelve feet south of and parallel to the north line of said 0.19 acre tract for a distance of 89.70 feet to a point on the west line of said 0.19 acre tract for the S.W. corner hereof, from which point a pipe found at the S.W. corner of said 0.19 acre tract bears S27°38'29"W at a distance of 83.21 feet;

**THENCE** N27°38'29"E for a distance of 12.07 feet to an "X" set in concrete at the N.W. corner of said 0.19 acre tract for the N.W. corner hereof;

**THENCE** S68°22'19"E for a distance of 90.03 feet to the **POINT OF BEGINNING**, containing 0.03 acre of land.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.

  
Thomas P. Dixon R.P.L.S. 4324



P.O. Box 160176  
Austin, Texas 78716-0176

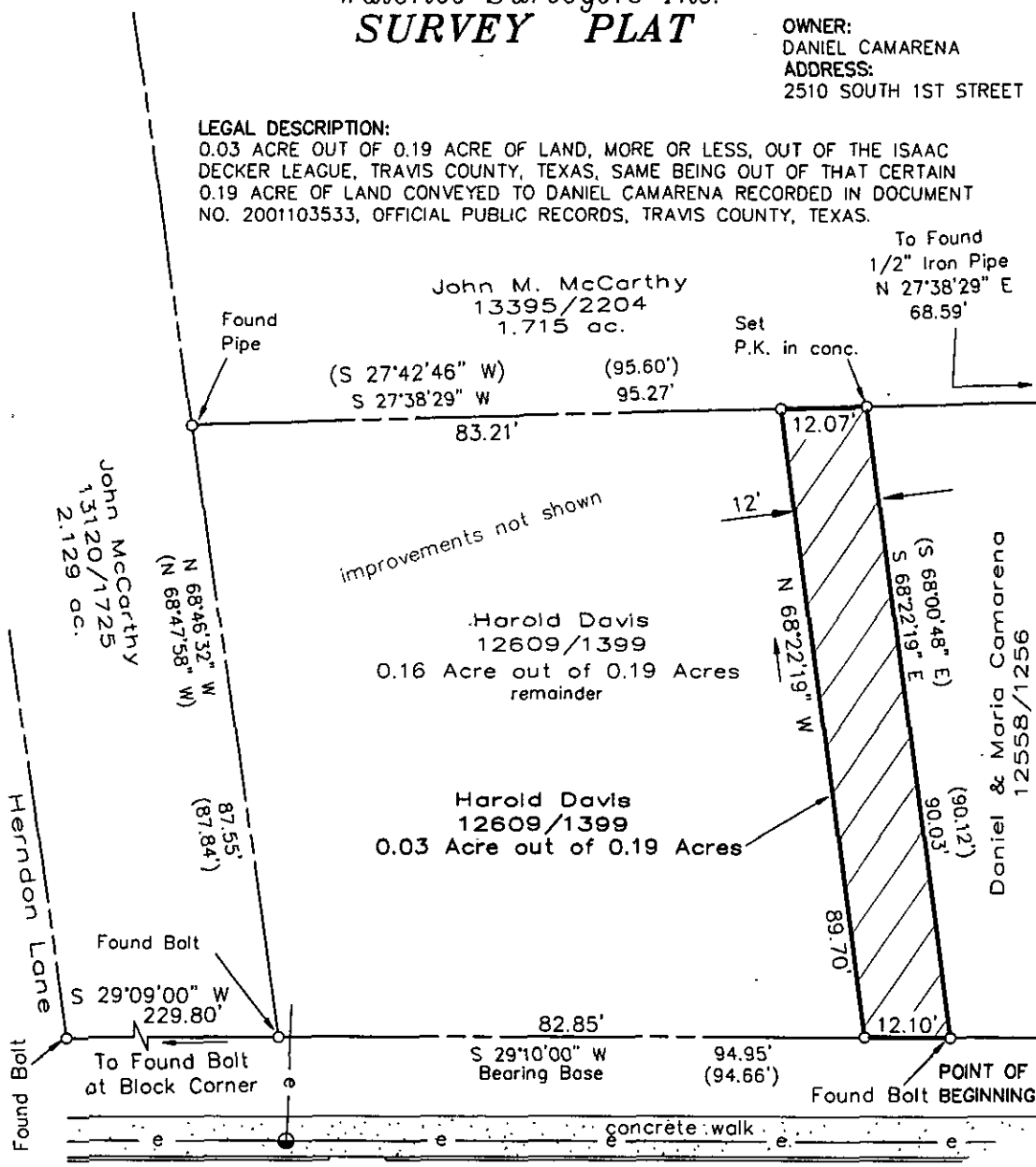
Waterloo Surveyors Inc.  
**SURVEY PLAT**

J9740C1

OWNER:  
DANIEL CAMARENA  
ADDRESS:  
2510 SOUTH 1ST STREET

**LEGAL DESCRIPTION:**

0.03 ACRE OUT OF 0.19 ACRE OF LAND, MORE OR LESS, OUT OF THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN 0.19 ACRE OF LAND CONVEYED TO DANIEL CAMARENA RECORDED IN DOCUMENT NO. 2001103533, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.



**S. 1ST STREET**

**NOTE:**

State of Texas: THIS PROPERTY WAS SURVEYED ON THE GROUND ON  
County of Travis: MARCH 5, 2001 AND UPDATED ON THIS THE 20TH  
DAY OF FEBRUARY 2006.

SCALE  
1"=20'

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and

Specifications for a Category 1B Condition II Survey.

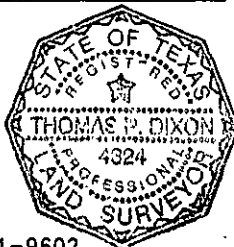
Dated this the 20TH day of FEBRUARY, 200 6

The property described hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0210 F

Zone: X Dated: 6/05/97

Thomas P. Dixon R.P.L.S. 4324

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Office: 512-481-9602  
Fax: 512-330-1621

Waterloo Surveyors Inc.

Thomas P. Dixon  
R.P.L.S. 4324  
J9740C2

EXHIBIT "B"

February 20, 2006

FIELD NOTES

**FIELD NOTES FOR 0.16 ACRE OUT OF 0.19 ACRE OF LAND, MORE OR LESS, OUT OF THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN 0.19 ACRE OF LAND CONVEYED TO DANIEL CAMARENA RECORDED IN DOCUMENT NO. 2001103533, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:**

**BEGINNING** at a bolt found on the west R.O.W. of South 1st Street, at the N.E. corner of that certain 2.129 acre tract of land conveyed to John McCarthy recorded in Volume 13120, Page 1725, Real Property Records, Travis County, Texas, same being at the S.E. corner of said 0.19 acre tract of land for the S.E. corner hereof, from which point a bolt found at the intersection of the north R.O.W. of Herndon Lane at the S.E. corner of said 2.129 acre tract bears S29°09'00"W at a distance of 229.80 feet;

**THENCE** N68°46'32"W along the south line of said 0.19 acre tract for a distance of 87.55 feet to a pipe found at the S.W. corner of said 0.19 acre tract for the S.W. corner hereof;

**THENCE** N27°38'29"E along the west line of said 0.19 acre tract for a distance of 83.21 feet to a point for the N.W. corner hereof, from which point an "X" set in concrete at the N.W. corner of said 0.19 acre tract bears N27°38'29"E at a distance of 12.07 feet;

**THENCE** S68°22'19"E, crossing said 0.19 acre tract along a line twelve feet south of and parallel to the north line of said 0.19 acre tract for a distance of 89.70 feet to a point on the west R.O.W. of South 1st Street for the N.E. corner hereof, from which point a bolt found at the N.E. corner of said 0.19 acre tract bears N29°10'00"E at a distance of 12.10 feet;

**THENCE** S29°10'00"W along the west R.O.W. of South 1st Street for a distance of 82.85 feet to the **POINT OF BEGINNING**, containing 0.16 acre of land.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.



Thomas P. Dixon R.P.L.S. 4324



P.O. Box 160176  
Austin, Texas 78716-0176

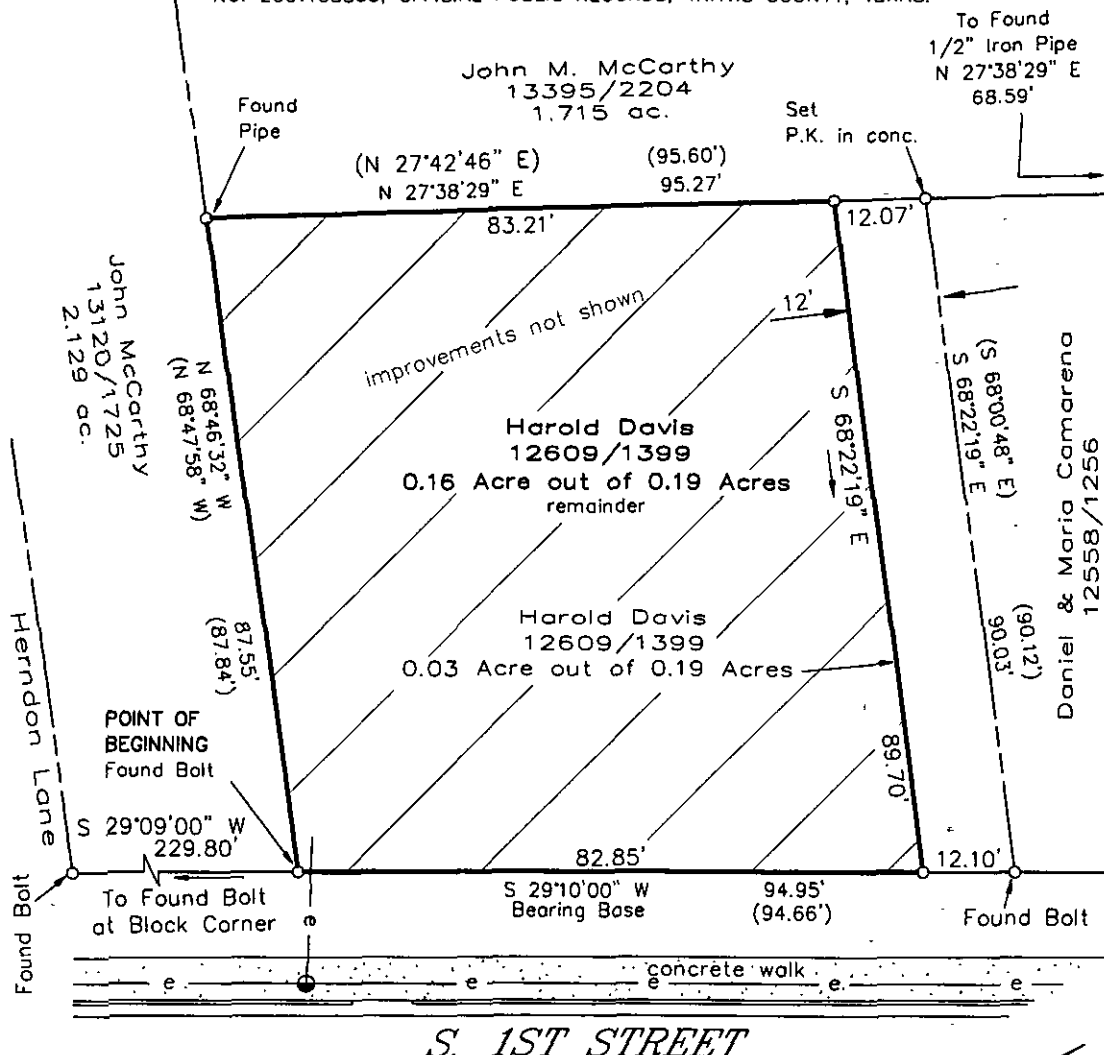
Waterloo Surveyors Inc.  
**SURVEY PLAT**

J9740C2

OWNER:  
DANIEL CAMARENA  
ADDRESS:  
2510 SOUTH 1ST STREET

**LEGAL DESCRIPTION:**

0.16 ACRE OUT OF 0.19 ACRE OF LAND, MORE OR LESS, OUT OF THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN 0.19 ACRE OF LAND CONVEYED TO DANIEL CAMARENA RECORDED IN DOCUMENT NO. 2001103533, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.



State of Texas: THIS PROPERTY WAS SURVEYED ON THE GROUND ON  
County of Travis: MARCH 5, 2001 AND UPDATED ON THIS THE 20TH  
DAY OF FEBRUARY 2006.

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and

Specifications for a Category 1B Condition II Survey.

Dated this the 20TH day of FEBRUARY, 2006

The property described hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0210 F

Zone: X Dated: 6/05/97

Thomas P. Dixon R.P.L.S. 4324

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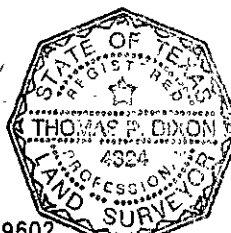


EXHIBIT C  
FIELD NOTES  
0.458-ACRE TRACT

ALL OF THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF A 2.129-ACRE TRACT AS CONVEYED TO JOHN McCARTHY BY DEED RECORDED IN VOLUME 13120, PAGE 1725 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a steel boat spike found at the intersection of the north right-of-way line of Herndon Lane and the west right-of-way line of South First Street, said boat spike found also being the southeast corner of the above described McCarthy 2.129-acre tract, for the southeast corner and POINT OF BEGINNING of this tract;

THENCE, with the north right-of-way line of Herndon Lane, N69°04'47"W a distance of 87.57 feet to a point for the southwest corner of this tract;

THENCE N29°10'16"E a distance of 230.38 feet to a 1" iron pipe found at the southwest corner of a 0.19-acre tract as conveyed to Daniel Camarena by deed recorded in Document No. 2001103533 of the Official Public Records of Travis County, Texas;

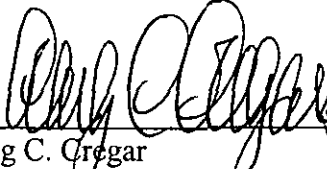
THENCE, with the south line of said Camarena 0.19-acre tract, S68°46'06"E a distance of 87.50 feet to a steel boat spike found on the west right-of-way line of South First Street at the southeast corner of said Camarena 0.19-acre tract;

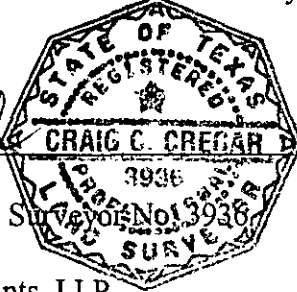
THENCE, with the west right-of-way line of South First Street, S29°10'16"W a distance of 229.90 feet to the POINT OF BEGINNING and containing 0.458 acre



(19,945 square feet) of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma from a survey made on the ground on February 13, 1996, updated on September 21, 2004, both under my supervision and are true and correct to the best of my knowledge.

  
Craig C. Gregar  
Registered Professional Land Surveyor No. 3936



2/9/06  
Date

Client: LOC Consultants, LLP  
Date: February 9, 2006  
F.B.: 181 & 239  
W.O. No.: 000A234-001  
File: COGO2005\AUS2005\07770104.CRD

EXHIBIT D  
FIELD NOTES  
3.336-ACRE TRACT

ALL OF THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING ALL OF A 0.224-ACRE, A 1.115-ACRE AND A 0.33-ACRE TRACT AS CONVEYED TO JOHN McCARTHY BY DEEDS RECORDED RESPECTIVELY IN VOLUME 13395, PAGE 2185, VOLUME 13395, PAGE 2204 AND VOLUME 13398, PAGE 2591 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND A PORTION OF A 2.129-ACRE TRACT AS CONVEYED TO JOHN McCARTHY BY DEED RECORDED IN VOLUME 13120, PAGE 1725 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1" iron pipe found on the north right-of-way line of Herndon Lane at the southwest corner of the above described McCarthy 2.129-acre tract, said iron pipe found also being the southeast corner of a 9.936-acre tract as conveyed to John McCarthy by deed recorded in Volume 986, Page 171 of the Deed Records of Travis County, Texas, for the southwest corner and POINT OF BEGINNING of this tract;

THENCE, with the west line of the above described McCarthy 2.129-acre, 0.33-acre, 1.115-acre and 0.224-acre tracts, N30°15'20"E a distance of 465.85 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the northwest corner of said McCarthy 0.224-acre tract for the northwest corner of this tract;

THENCE, with the north line of said McCarthy 0.224-acre and 1.115-acre tracts, S69°03'34"E a distance of 306.98 feet to a ½" iron rod found at the northwest corner of a tract as conveyed to Michael Vasquez by deed recorded in Document No. 2003130847 of the Official Public Records of Travis County, Texas for the northeast corner of this tract;

THENCE, with the west line of said Vasquez tract, S27°38'05"W a distance of 69.33 feet to ½" iron pipe found at the northwest corner of a 0.144-acre tract as conveyed to Daniel and Maria Del Carmen Camarena by warranty deed with vendor's lien recorded in Volume 12558, Page 1256 of the Real Property Records of Travis County, Texas;

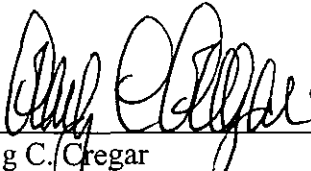
THENCE, with the west line of said Camarena 0.144-acre tract along a chain link fence, S27°36'47"W a distance of 68.63 feet to a chain link fence post at the northwest corner of a 0.19-acre tract as conveyed to Daniel Camarena by deed recorded in Document No. 2001103533 of the Official Public Records of Travis County, Texas;

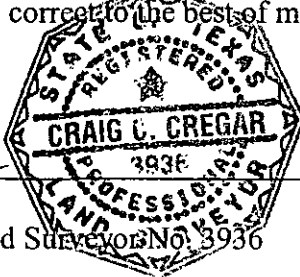
THENCE, with the west line of said Camarena 0.19-acre tract, S27°37'35"W a distance of 95.21 feet to a 1" iron pipe found at the southwest corner of said Camarena 0.19-acre tract;

THENCE S29°10'16"W a distance of 230.38 feet to a point on the north right-of-way line of Herndon Lane for the southeast corner of this tract;

THENCE, with the north right-of-way line of Herndon Lane, N69°04'47"W a distance of 322.26 feet to the POINT OF BEGINNING and containing 3.336 acres (145,334 square feet) of land, more or less.

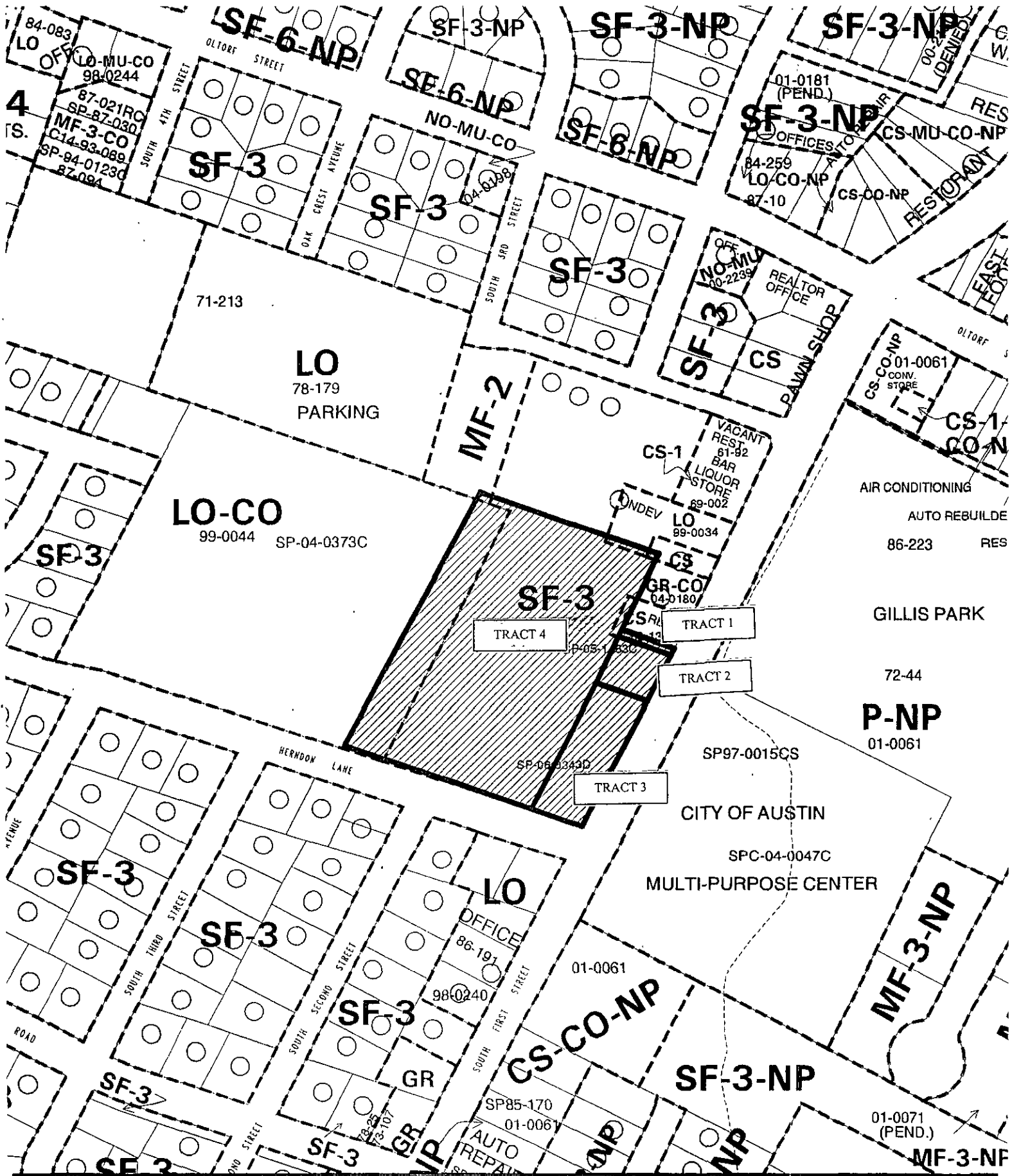
I HEREBY CERTIFY that these notes were prepared by Terra Firma from a survey made on the ground on February 13, 1996, updated on September 21, 2004, both under my supervision and are true and correct to the best of my knowledge.


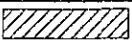


  
Craig C. Cregar  
Registered Professional Land Surveyor No. 3936



2/4/06  
Date

Client: LOC Consultants, LLP  
Date: February 8, 2006  
F.B.: 181 & 239  
W.O. No.: 000A234-001  
File: COGO2005\AUS2005\07770104.CRD



|   |  |                         |             |   |
|---|--|-------------------------|-------------|---|
| <br>1" = 200' | SUBJECT TRACT<br>   | <b>ZONING EXHIBIT E</b> |             | CITY GRID<br>REFERENCE<br>NUMBER<br>H20 |
|   | PENDING CASE<br>    |                         |             |   |
|   | ZONING BOUNDARY<br> | CASE #: C14-06-0032     | DATE: 06-09 |   |
|   | CASE MGR: R. HEIL  | ADDRESS: 2510 S 1ST ST  | INTLS: SM   |   |
|   | SUBJECT AREA (acres): 3.984  |                         |             |   |